

U.S. Application No.: 09/581,005
AMENDMENT E

ATTORNEY DOCKET: 4007.002

REMARKS

Review and reconsideration of the Office Communication of December 30, 2003, is respectfully requested in view of the following remarks.

Applicants would like to thank the Examiner for his helpful comments on how to set the case in condition for allowance.

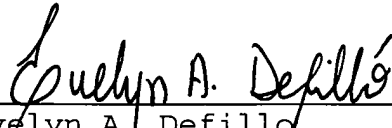
Applicants have amended the claims by introducing the limitation that the bacterium belongs to the genus *Listeria*. Support for the claims amendment can be found in Claim 26 as originally filed.

Claims 35-51 (non-elected group) have been canceled. Applicants reserve the right to file a Divisional application including these claims.

No new matter has been added to the claims.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,


Evelyn A. Defillo
Registration No. 45,630

PENDORF & CUTLIFF
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Date: **January 29, 2004**

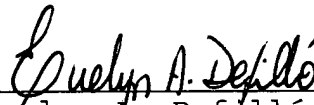
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CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing AMENDMENT E for U.S. Application No. 09/581,005 filed June 6, 2000, was deposited in first class U.S. mail, postage prepaid, addressed: Attn: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this 29th day of January 2004.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Evelyn A. DeFillio